

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
MANHATTAN DIVISION

IN RE

ANGELA C. HALL, FKA ANGELA C.
HOWELL-BROWN, AKA ANGELA
HOWELL-BROWN
DEBTOR

CHAPTER 13

CASE NO. 17-11162

JUDGE: Cecelia G. Morris

OBJECTION TO CONFIRMATION

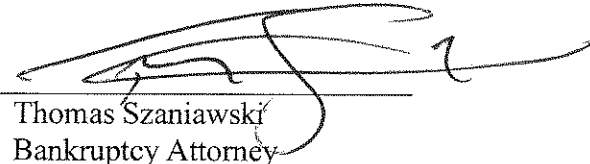
Thomas Szaniawski, Esq., an attorney admitted to practice in this Court, affirms the following under penalty of perjury:

1. I am an associate with Shapiro, DiCaro & Barak, LLC, attorney for Selene Finance LP, and am familiar with the facts and circumstances surrounding this matter.
2. Selene Finance LP, holds a mortgage on the Debtor's real property known as 4359 De Reimer Avenue, Bronx, NY 10466 (the "Property").
3. Selene Finance LP will be filing a Proof of Claim for pre-petition mortgage arrears in the approximate amount of \$91,461.00, which will be filed with the Court by the bar date of August 30, 2017. Debtor's proposed Chapter 13 Plan lists arrears in the amount of \$5,000.00, making no provision for full payment of the mortgage arrears in violation of Bankruptcy Code Section 1325(a)(5)(B)(ii). Debtor's proposed Chapter 13 plan does request participation in Loss Mitigation; however, the outcome of Loss Mitigation is inherently uncertain.
4. The plan does not provide for the making of the correct regular monthly note and mortgage payments by Debtor as required by 11 U.S.C. § 1322 (b)(5).

5. The plan is not adequately funded. The plan does not contain funds sufficient to pay Secured Creditor's pre-petition arrearages in full as required by 11 U.S.C. § 1325 (a)(5)(B)(ii).

WHEREFORE, the undersigned respectfully requests the Debtor to amend their Chapter 13 Plan to reflect the proper mortgage arrears and correct monthly note and mortgage payments as specified earlier or, in the absence of an amendment to the Plan, the undersigned respectfully requests an Order of this Court denying confirmation of Debtor's Chapter 13 Plan pursuant to Bankruptcy Code Section 1325 and such other and further relief as may be just and proper.

Dated: June 5, 2017



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